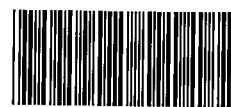


ORIGINAL



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029  
JAN 18 2017



SEMS DocID 2243466

**INFORMATION REQUEST**  
**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Verizon Delaware LLC  
945 South Chapel St  
Newark, DE 19713

**Re: Letter Requiring Submission of Information  
Newark South Ground Water Plume Site  
Newark, New Castle County, Delaware**

Dear Sir/Madam:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or threat of release, of hazardous substances, pollutants or contaminants into the environment at the Newark South Ground Water Plume Site, located in southeast Newark, west of Route 72, between Interstate 95 and Rt. 2 (East Chestnut Hill Road) in New Castle County, Delaware, (hereinafter the Site). The Site is a contaminated groundwater plume located southeast of Newark, Delaware. The Site is generally located under four industrial parks - the Diamond State, Delaware Industrial, Cooches Industrial Park and Blue Hen Industrial Park, and also one commercial, retail center, Pencader Plaza. Refer to Enclosure G, attached to this letter, for a map. The specific information required is attached to this letter as Enclosure E.

Investigative activities have revealed that municipal wells, supplying drinking water for the City of Newark, are contaminated with perchloroethylene (PCE), trichloroethylene (TCE), solvents and other hazardous compounds. Properties located within the Site area and on adjacent areas surrounding the Site may have or had detections of contamination in the groundwater and soils. Therefore, EPA is conducting a search for Potentially Responsible Parties (PRPs) in connection with the contaminated groundwater plume and source areas.

EPA's investigation revealed that Verizon Delaware LLC (hereinafter you) operates on that portion of the Site property which is located at 945 S. Chapel Street (Parcel 11-006.30-181) Newark, Delaware 19713. Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. § 9604(e), EPA has the authority to require you to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents, which concern,



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refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. § 9601(33).

CERCLA §104 authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information that you provide may be used by EPA in administrative, civil, or criminal proceedings.

You must respond in writing to this required submission of information within **thirty (30) calendar days** of your receipt of this letter. The response must be signed by an appropriately authorized corporate official, partner, and/or sole proprietor.

If, for any reason, you do not provide all information responsive to this letter, then in your answer to EPA you must: (1) describe specifically what was not provided, (2) provide to EPA an appropriate reason why the information was not provided, (3) provide your document retention policy during your period of ownership of each portion of the Site, (4) provide a description of any relevant records destroyed and the date(s) of destruction, (5) provide a description of the information that would have been contained in the documents that were destroyed, and (6) state the name(s) of the individual(s) responsible for the destruction of the documents.

All documents and information should be sent to:

Ms. Joan Martin-Banks (3HS62)  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions concerning this matter, please contact Civil Investigator, Joan Martin-Banks, at (215) 814-3156, or have your attorney contact Senior Assistant Regional Counsel, Yvette Hamilton, at (215) 814-2636.

Sincerely,



Joanne Marinelli, Chief  
Cost Recovery Branch

- Enclosures:
- A. Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees
  - B. List of Contractors That May Review Your Response
  - C. Definitions
  - D. Instructions
  - E. Required Information

F. Map

cc: Connor O'Loughlin (3HS12)  
Yvette Hamilton (3RC43)  
Timothy Ratsep, DNREC  
Qazi Salahuddin. DNREC

## **Enclosure A**

### **Business Confidentiality Claims**

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Part 2, Subpart B. Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you. You must clearly mark such claimed information by either stamping or using any other such form of notice that such information is a trade secret, proprietary, or company confidential. To best ensure that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.

### **Disclosure of Your Response to EPA Contractors and Grantees**

EPA may contract with one or more independent contracting firms (See, Enclosure B) to review the documentation, including documents which you claim are confidential business information ("CBI"), which you submit in response to this information request, depending on available agency resources. Additionally, EPA may provide access to this information to (an) individual(s) working under (a) cooperative agreements(s) under the Senior Environmental Employee Program ("SEE Enrollees"). The SEE Program was authorized by the Environmental Programs Assistance Act of 1984 (Pub. L. 98-313). The contractor(s) and/or SEE Enrollee(s) will be filing, organizing, analyzing and/or summarizing the information for EPA personnel. The contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. The SEE Enrollee(s) is working under a cooperative agreement that contains a provision concerning the treatment and safeguarding of CBI. The individual SEE Enrollee has also signed a confidentiality agreement regarding treatment of CBI. Pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7), and EPA's regulations at 40 C.F.R. § 2.310(h), EPA may share such CBI with EPA's authorized representatives which include contractors and cooperators under the Environmental Programs Assistance Act of 1984. (See 58 Fed.Reg. 7187 (1993)). If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of the entities listed in Enclosure B, you must notify EPA in writing at the time you submit such documents.

**Enclosure B**

[rev. 12/2016]

**List of Contractors That May Review Your Response**

**Emergint Technologies, Inc.**  
Contract # EP-W-11-025  
Subcontractor: Booz-Allen & Hamilton

**Booz-Allen & Hamilton**  
Contract # EP-W-11-016

**CDM-Federal Programs Corporation**  
Contract # EP-S3-07-06  
Subcontractors: CDI-Infrastructure, LLC d/b/a L.R.  
Kimball  
Avatar Environmental LLC  
Terradon Corporation

**Cherokee Nation Assurance, LLC**  
Contract #EP-S3-14-01

**EA Engineering, Science and Technology, Inc.**  
Contract #EP-S3-07-07  
Subcontractor: URS

**Eisenstein Malanckuck, LLP**  
Contract #EP-W-13-006  
Subcontractors: R. M. Fields International, LLC

**Hydrogeologic (HGL)**  
Contract #EP-S3-07-05  
Subcontractor: CH2MHill  
Sullivan International

**Weston Solutions**  
Contract #EP-S3-1502

**Tech Law, Inc. (Removal Program)**  
Contract #EP-S3-1503

**Tetra Tech NUS, Inc.**  
Contract #EP-S3-07-04

**Kemron Environmental Services, Inc.**  
Contract #EP-S3-12-01,  
Subcontractor: AECOM Technical Services, Inc.

**Guardian Environmental Services Company, Inc.**  
Contract #EP-S3-12-02,  
Subcontractors: Aerotek, Inc.,  
Tetra Tech, Inc.

**Environmental Restoration, LLC**  
Contract # EP-S3-12-03  
Subcontractors: Aerotek, Inc  
Haas Environmental, Inc,  
Hertz

**Northstar Federal Services, Inc.**  
Contract # EP-S3-12-05

**ICF International**  
Contract # EP-BPA-12-W-0003

**Cooperative Agreements**

**National Association of Hispanic Elderly**  
CA# CQ-835398

**National Older Workers Career Center**  
CA# Q-835621



## Enclosure C

### Definitions

1. The term "arrangement" shall mean every separate contract or other agreement or understanding between two or more persons, whether written or oral.
2. The term "documents" shall mean writings, photographs, sound or magnetic records, drawings, or other similar things by which information has been preserved and also includes information preserved in a form which must be translated or deciphered by machine in order to be intelligible to humans. Examples of documents include, but are not limited to, electronic mail and other forms of computer communication, drafts, correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, summaries, pamphlets, books, invoices, checks, bills of lading, weight receipts, toll receipts, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, inter-office and intra-office communications, notations of any conversations (including, without limitation, telephone calls, meetings, and other communications such as e-mail), bulletins, printed matter, computer printouts, invoices, worksheets, graphic or oral records or representations of any kind (including, without limitation, charts, graphs, microfiche, microfilm, videotapes, recordings and motion pictures), electronic, mechanical, magnetic or electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, recordings and computer memories), minutes of meetings, memoranda, notes, calendar or daily entries, agendas, notices, announcements, maps, manuals, brochures, reports of scientific study or investigation, schedules, price lists, data, sample analyses, and laboratory reports.
3. The term "hazardous substance" means (a) any substance designated pursuant to section 1321(b)(2)(A) of Title 33 of the U.S. Code, (b) any element, compound, mixture, solution, or substance designated pursuant to Section 9602 of CERCLA, (c) any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of the Solid Waste Disposal Act (42 U.S.C. § 6921) (but not including any waste the regulation of which under the Solid Waste Disposal Act, 42 U.S.C. § 6901 et seq., has been suspended by Act of Congress), (d) any toxic pollutant listed under Section 1317(a) of Title 33, (e) any hazardous air pollutant listed under section 112 of the Clean Air Act, 42 U.S.C. § 7412, and (f) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to Section 2606 of Title 15 of the U.S. Code. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (a) through (f) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
4. The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical

deformations in such organisms or their offspring, except that the term "pollutant or contaminant" shall not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under CERCLA, and shall not include natural gas, liquefied natural gas, or synthetic gas of pipeline quality (or mixtures of natural gas and such synthetic gas).

5. The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant), but excludes (a) any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons, (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine, (c) release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, 42 U.S.C. § 2011 et seq., if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under Section 170 of such Act, 42 U.S.C. § 2210, or, for the purposes of Section 9604 of CERCLA or any other response action, any release of source, byproduct, or special nuclear material from any processing site designated under 42 U.S.C. §§ 7912(a)(1) and 7942(a) and (d) the normal application of fertilizer.
6. The term "waste" or "wastes" shall mean and include any discarded materials including, but not limited to, trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, pollutants or contaminants, and discarded or spilled chemicals, whether solid, liquid, or sludge.
7. The term "you" when referring to an incorporated entity shall mean and include the incorporated entity and its agents and representatives, including, but not limited to, persons directly authorized to transact business on the entity's behalf such as officers, directors, or partners with which the entity is affiliated, employees, accountants, engineers, or other persons who conduct business on the entity's behalf, as well as affiliated entities, including, but not limited to, partnerships, limited liability companies, divisions, subsidiaries, and holding companies.

## **Enclosure D**

### **Instructions**

1. You are entitled to assert a claim of business confidentiality covering any part or all of the information you submit. If you desire to assert a claim of business confidentiality, please see Enclosure A, *Business Confidentiality Claims/Disclosure of Your Response to EPA Contractors and Grantees*. You must clearly mark such information by either stamping or using any other form of notice that such information is a trade secret, proprietary, or company confidential. To ensure to the greatest extent that your intent is clear, we recommend that you mark as confidential each page containing such claimed information.
2. Please provide a separate, detailed narrative response to each question, and to each subpart of each question, set forth in this Information Request. If you fail to provide a detailed response, EPA may deem your response to be insufficient and thus a failure to comply with this Information Request, which may subject you to penalties.
3. Precede each response with the number of the question or subpart of the question to which it corresponds. For each document or group of documents produced in response to this Information Request, indicate the number of the specific question or subpart of the question to which the document(s) responds.
4. Should you find at any time after submission of your response that any portion of the submitted information is false, misrepresents the truth or is incomplete, you must notify EPA of this fact and provide EPA with a corrected written response.
5. Any terms that are used in this Information Request and/or its Enclosures that are defined in CERCLA shall have the meaning set forth in CERCLA. Definitions of several such terms are set forth in Enclosure C, *Definitions*, for your convenience. Also, several additional terms not defined in CERCLA are defined in Enclosure C. Those terms shall have the meaning set forth in Enclosure C any time such terms are used in this Information Request and/or its Enclosures.



## Enclosure E

### Information Request

The parcel located at 945 South Chapel St (11-006.30-181), Newark, Delaware 19713 is hereinafter referred to as the "Property". For each question, provide a separate and distinct answer for the Property.

1. What is the nature of your business or activity during your period of operation at the above parcel? Please describe in detail if the nature of your business or activity at the Property changed during your period of operation. Please provide a detailed explanation of these changes. Provide all relevant documentation.

2. With respect to the operations at the above Property, please identify:

- a. The products produced at the Property;
- b. The dates during which such products were produced at the above Property; and
- c. The processes used to produce the products identified in response to question 2a.

Provide all relevant documentation.

3. Did you ever use, purchase, store, treat, recycle, reclaim, dispose, transport or otherwise handle any "waste" (as the term "waste" is defined in paragraph 6 of the definitions attached hereto) on this Property? If the answer to the preceding question is anything but an unqualified "no", identify:

- a. The chemical composition, characteristics, physical state (e.g., solid, liquid) of each "waste";
- b. Who generated each "waste";
- c. How each "waste" was used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
- d. When each "waste" was used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you;
- e. Where each "waste" was used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you; and
- f. The quantity of each "waste" used, purchased, generated, stored, treated, transported, disposed of or otherwise handled by you.

Provide all relevant documentation.

4. Describe the methods used by you to dispose of and/or treat PCE, solvents or other hazardous chemicals during your period of operation at the Property.

5. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons, including your own, who during your period of operation at the Property, may have:
  - a. Used, purchased, generated, stored, treated, transported, disposed of or otherwise handled PCE, solvents or other hazardous chemicals at the Property;
  - b. Arranged for the disposal or treatment of PCE, solvents or other hazardous chemicals at the Property; and
  - c. Arranged for the transportation of PCE, solvents or other hazardous chemicals to the Property (either directly or through transshipment points) for disposal or treatment.
6. State the dates during which you owned, operated or leased the Property and provide copies of all documents evidencing or relating to such ownership, operation or lease arrangement (e.g., deeds, leases, title search reports, etc.). Be sure to describe the specific real estate and/or buildings to which each deed or lease relates and the activities undertaken by each owner/lessee/tenant.
7. Identify the prior owners of the Property. For each prior owner, further identify:
  - a. The dates of ownership;
  - b. The nature of prior operations; and
  - c. All evidence that a "waste" was released or may have been released at during the period that such prior owner owned it.
8. Describe any interests in or encumbrances on the Property that were held by others, during your operation including, but not limited to, liens, easements, deed restrictions and mortgages. Provide all relevant documentation.
9. Describe your reason(s) for acquiring the Property and all activities undertaken on the Property by you during your period of operation. Identify your employees who performed work on the Property. Include current addresses and dates of birth. Include the dates of each such activity, the nature of the activity, and the specific location at the Property of that activity.
10. Identify all contractors and their employees who performed any work at the Property. Include the dates of each such activity, the nature of the activity and the specific location at the Property of that activity. Provide all relevant documentation.
11. Provide a description of the construction and/or demolition of any surface or subsurface structure at the Property. Describe the physical layout and characteristics of said Property during your period of operation. Include buildings, gates, fences, tanks, lagoons, settling ponds, underground tanks, barrels, drums, storm water systems, leach fields, septic systems, and groundwater wells. Provide maps and photographs, if available. Provide all relevant documentation.

12. Identify the prior operators, including lessees, of the Property. For each such operator, further identify:

- a. The dates of operation;
- b. The nature of prior operations at said Property; and
- c. All evidence that a "waste" was released or may have been released by such prior operator at or from said Property during the period that it was in operation.

Provide all relevant documentation.

13. Provide copies of all local, state, and Federal environmental permits ever granted for the Property, or any part thereof (e.g., RCRA permits, NPDES permits, etc.). Provide copies of any correspondence between you and any regulatory agencies regarding "waste" transported to or disposed of at said Property.

14. Provide all documents concerning sampling, testing or other technical or analytical information concerning the surface water, groundwater, soils, sediments, and air at the Property. Describe the nature and scope of all investigations completed, and undertaken.

15. Describe all leaks, spills or releases at the Property that were, or may have been, hazardous, toxic, flammable, reactive, or corrosive and the measures taken to address them. Provide all relevant documentation. Provide all relevant documentation.

16. Describe all fires, explosions or similar occurrences at the Property. Provide all relevant documentation.

17. Provide all documents relating to governmental inspections at the Property, during your period of operation.

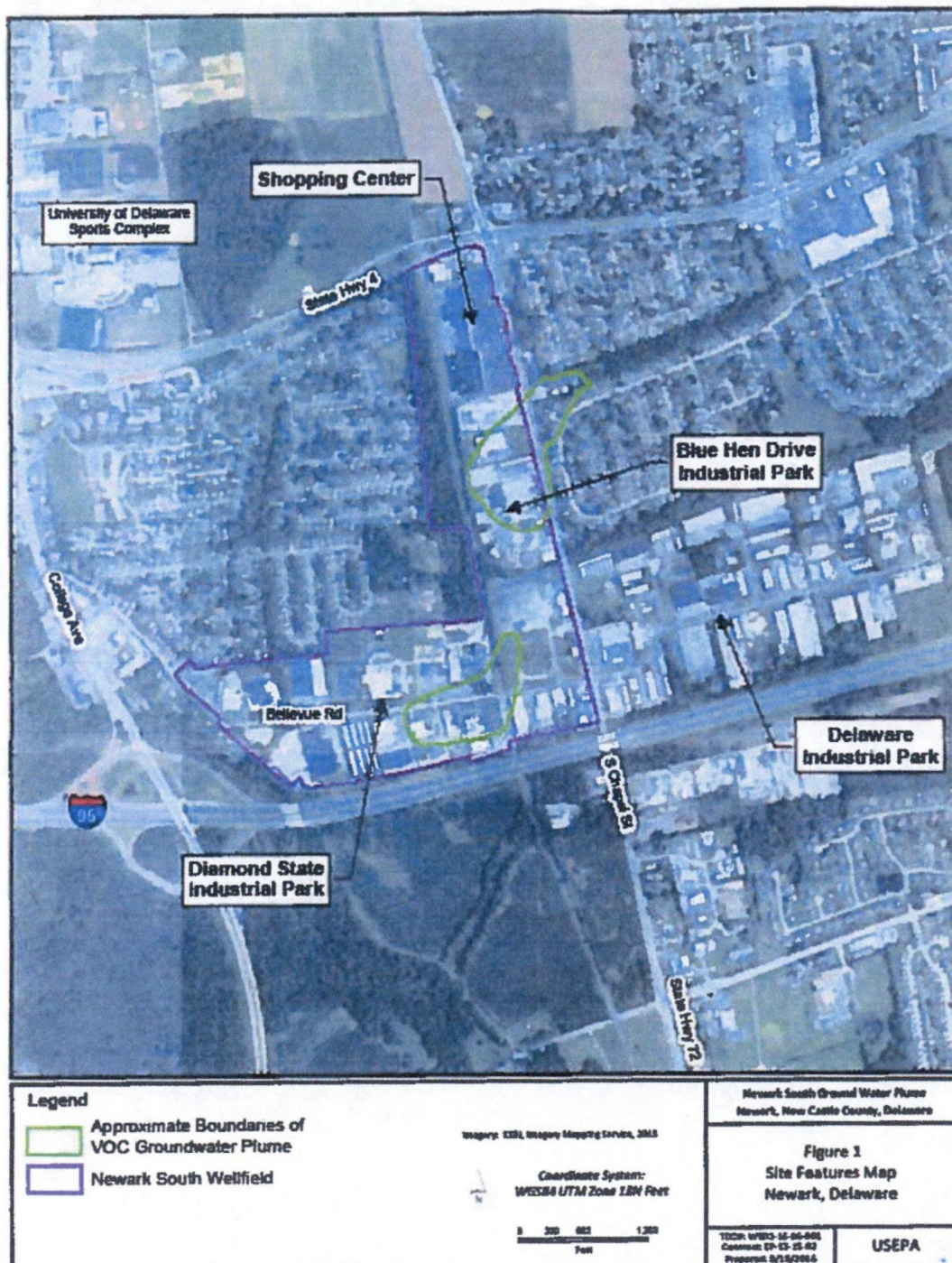
18. If you have any information about other parties which may assist the Agency in its investigation of the Property, or any other portion of the Site, or who may be responsible for the generation of, transportation to, or release of contamination at the above, please provide such information. The information you provide in response to this request should include the party's name, address, type of business, and the reasons why you believe the party may have contributed to the contamination or may have information regarding the contamination.

19. Provide the identity of, and copies of any documents relating to, any other person who generated, treated, stored, transported or disposed of, or who arranged for the treatment, storage, disposal or transportation of each "waste" to the Property, or any other portion of the Site.

20. Provide the identities of all predecessors in interest who, during your period of operation, transported, stored, treated or otherwise disposed of any "waste" at the Property, or at any other portion of the Site and describe in detail the nature of your predecessor in interest's business. Describe all changes in ownership of the business during your period of operation on the Property, including the date of the ownership change and identify the type of change (i.e., asset purchase, corporate merger, consolidation, and name change). Provide a copy of each asset



Enclosure F



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for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

**IMPORTANT: Save this receipt for your records.**

**SENDER: COMPLETE THIS SECTION**

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Verizon Delaware, LLC  
945 South Chapel Street  
Newark, DE 19713



9590 9401 0022 5168 1390 68

2. Article Number (Transfer from service label)

7015 0640 0001 0393 0979

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☒ Addressee

B. Received by (Printed Name)

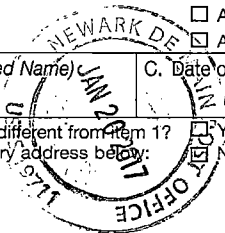
C. Date of Delivery

D. Is delivery address different from item 1?

If YES, enter delivery address below:

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☒ No



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